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BRINKS, HOFER, GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

In re Application of
PRIMDAHL, Soren *et al*
Application No.: 09/831,931
PCT No.: PCT/DK99/00631
Int. Filing Date: 17 November 1999
Priority Date: 17 November 1998
Attorney Docket No.: 11038/3
For: ELECTROCHEMICAL CELL

DECISION ON
PAPERS SUBMITTED
UNDER 37 CFR 1.42

This is a decision on the papers filed 27 November 2001 requesting the United States Patent and Trademark Office accept the declaration signed by the legal representative of a deceased co-inventor.

BACKGROUND

On 27 September 2001, a decision dismissing applicants' petition under 37 CFR 1.42 was mailed because the declaration did not contain the citizenship, residence and post office address of the legal representative of deceased co-inventor Carsten Bagger as required by 37 CFR 1.497(b)(2). Applicants were given two months to respond.

On 27 November 2001, applicants filed the instant response which was accompanied by, *inter alia*, a supplemental declaration.

DISCUSSION

The declaration submitted with the national stage papers on 15 May 2001 listed the name, citizenship, residence, and post office address of the deceased co-inventor Carsten Bagger. However, the declaration did not provide any information on the legal representative of the deceased co-inventor, Jørgen Siiger. Therefore, the declaration failed to comply with 37 CFR 1.497.

In the renewed petition, applicants have furnished a supplemental declaration signed by the legal representative, Jørgen Siiger which lists his name, citizenship, residence and post office address. This declaration complies with 37 CFR 1.497.

CONCLUSION

The papers filed under 37 CFR 1.42 are ACCEPTED.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 17 November 1999, under 35 U.S.C. 363, and a 35 U.S.C. 371(c) date of 27 November 2001.

This application is being forwarded to the United States Designated/Elected Office for further processing in accordance with this decision.



Richard Cole
PCT Legal Examiner
PCT Legal Office



James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457